



Annual No Fear Act Report to Congress

Fiscal Year 2012



**NOTIFICATION AND FEDERAL EMPLOYEE ANTI-DISCRIMINATION AND RETALIATION
(NO FEAR) ACT OF 2002
Defense Information Systems Agency (DISA)**

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INTRODUCTION

The Defense Information Systems Agency is pleased to submit this annual report in accordance with Section 5, Part 724 of the Code of Federal Regulations (5 C.F.R. § 724), Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act. The report is divided into sections which track the reporting areas required by the regulations: pending and resolved federal court cases; administrative equal employment opportunity complaints; disciplinary actions resulting from violations of nondiscrimination and whistleblower protection statutes; agency disciplinary policies; trend analyses of court cases and administrative complaints; a budgetary impact analysis; and the agency training plan.

The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (commonly known as the “No FEAR Act”), Public Law 107-174, was enacted on May 15, 2002. It was Congress’ intent to increase accountability regarding violations of anti-discrimination and whistleblower protection laws. The No FEAR Act directed Federal agencies to post quarterly Equal Employment Opportunity (EEO) complaint data on its public website, reimburse the Judgment Fund, and submit an annual report to Congress.

In accordance with Section 203 of the No FEAR Act, this Annual Report to Congress includes data and analysis in the following categories:

- Number of employees disciplined for discrimination, retaliation, harassment, and Agency policy regarding disciplinary actions for such violations;
- Amount of money reimbursed to the judgment fund, and adjustments needed to comply with reimbursement requirements;
- Final year-end statistical data posted; and
- Examination of trends, causal analysis, experiential knowledge, and actions (taken or planned) to improve complaint or civil rights programs

Section 203 of the No FEAR Act specifically requires, not later than 180 days after the end of each fiscal year, each Federal agency to submit to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, each committee of Congress with jurisdiction relating to the agency, the Equal Employment Opportunity Commission, and the Attorney General an annual report with specific information relating to each agency's EEO complaints activity.

EXECUTIVE SUMMARY/FORMAL Complaint Data

In fiscal year (FY) 2012, DISA supported a total workforce of 7,802 permanent employees (6,324 civilian/1,478 military) and approximately 9,511 civilian contractors in 80 different career series worldwide. The 43 specific organizations included in the scope of this report may be found in the DISA organization component chart at Appendix A.

Analysis of NO FEAR Act data for the timeframe FY07 to FY12 reflects there were 86 total formal complaints with an average of 14 formal cases each year (Table 1). Among the 86 total Complainants (3 Complainants were “repeat filers”). The uptick in complaint activity from FY07 to FY09 can be attributed to the implementation of the National Security Personnel System (NSPS) in the Department of Defense and the anxiety associated with NSPS from DISA employees. Additionally, DISA was identified in the Base Realignment and Closure (BRAC) and was selected to move from its location in Northern Virginia to Ft. Meade, Maryland in FY11.

DISA Formal Complaints 2007 - 2012

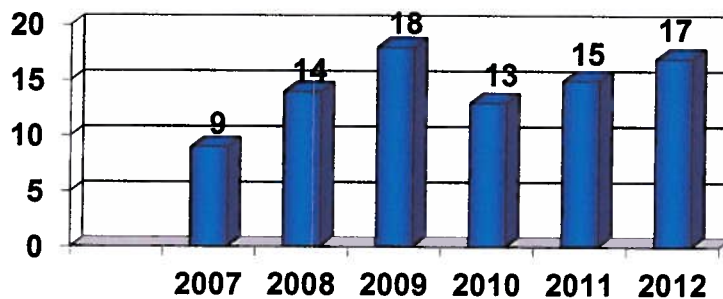


Table 1

During FY12, complainants attributed their issues to all of the available bases with the exception of religion. Race (6) was the most prominent used bases during this reporting cycle while age (4) was the second most claimed bases. Altogether, there were 27 bases claimed in FY12 for the 16 complaints filed, which is not unusual given complainants often select more than one bases and/or issue(s). Analysis of NO FEAR Act data for the timeframe FY07 to FY12 reflects sex was identified as the leading basis with 42 sex-based claims, or an average of seven per year (Table 2). Race (41) and disability (32) were the second and third leading bases, respectively, averaging approximately six per year (Table 2). Age (26) and reprisal (23) were the fourth and fifth leading bases, averaging approximately four per year as depicted in Table 2.

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**DISA Complaints by Bases
2007 - 2012**

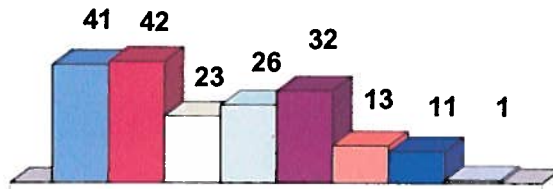


Table 2

■ Race
 ■ Sex
 ■ Reprisal
 ■ Age
 ■ Disability
 ■ National Origin
 ■ Color
 ■ Religion

From FY07 to FY12, the most common issue identified by complainants was “Harassment” (non-sexual) followed by “promotion/non-selection.” (Table 3)

**DISA Complaints by Leading Issue/Claim
2007 - 2012**

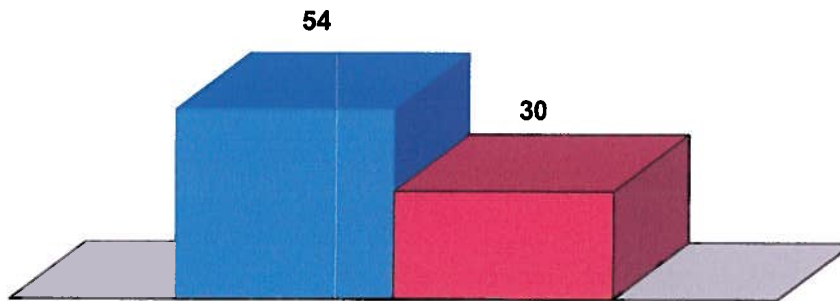


Table 3

■ Harassment (Non-sexual)
 ■ Non-selection/Promotion

While on the surface, DISA formal complaint activity may seem low, we attribute this number to proactive measures and the demonstrated effectiveness of this organization’s Informal Complaints Program, or Pre-complaints program. In FY12, 29 pre-complaints were initiated throughout DISA. Of those 29 pre-complaints, 16 (55%) proceeded to the formal complaints stage. While the preceding numbers indicate 55% of all pre-complaints proceeded to the formal stage what it does not depict is that there were 182 “contacts” throughout the Agency during FY12. DISA EEO counts contacts as individuals requesting to speak to an EEO representative because they have an issue they are dissatisfied with. In other words, employees and applicants for employment who are discontent about an employment issue want to speak to an EEO

representative before they decide if they will proceed with initiating a pre-complaint. Therefore, while 57% of those who entered the pre-complaint process did indeed file formal complaints; only 16% of potential complainants who contacted the EEO office with concerns actually entered the pre-complaints process.

DISA Mission, Goals, Vision, and Values

The Director, Equal Employment Opportunity and Diversity (EEO), currently employs a team of eleven personnel to carry out its mission. This team is comprised of a Deputy Director for EEO who also serves as the Formal Complaints Manager. Additionally, there are nine EEO Professionals ranging in grade from GS-07 to GS-13, performing duties. Three of DISA's EEO Specialists are geographically separated from the HQ's location at Ft. Meade to better support the Agency's workforce and multiple locations throughout the world. These Specialists are located in Montgomery, Alabama, San Antonio, Texas, and Scott AFB in Illinois. All other EEO personnel are located at the HQs at Ft. Meade, MD.

DISA Mission:

The Defense Information Systems Agency is a combat support agency responsible for planning, engineering, acquiring, fielding, and supporting global net-centric solutions to serve the needs of the President, Vice President, the Secretary of Defense, and other DoD Components, under all conditions of peace and war. DISA, a Combat Support Agency, engineers and provides command and control capabilities and enterprise infrastructure to continuously operate and assure a global net-centric enterprise in direct support to joint war fighters, national-level leaders, and other mission and coalition partners across the full spectrum of operations.

EEO Mission:

Ensuring fairness, inclusion, and equal employment opportunity for all employees and applicants on the bases of merits and without regard to race, color, religion, sex (including pregnancy), age (40 or older), national origin, disability, or genetic information.

DISA Goals:

One of the goals of DoD's transformation is net-centric operations and warfare. DISA is working with combatant commands, military services, and agency partners to build the foundation for this network of the future — the Global Information Grid (GIG). DISA also supports net-centricity through the [Net-Centric Enterprise Services](#) (NCES) Program. When fully operational, NCES will enable GIG users to access, post, process, use, store, and manage information on demand. DISA has many other critical missions including providing world-class computing services and overseeing the evolution of the existing DoD [Command and Control](#) (C2) systems. DISA is also home to the [White House Communications Agency](#), which provides communications support to the president and vice president; the [Defense Spectrum Organization](#), which develops integrated plans and long-term strategies for DoD spectrum access; and the [Defense Information Technology Contracting Organization](#) (DITCO), which procures global net-centric capabilities and supports customers through innovative contracting and acquisition logistics.

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EEO Goals:

- To exceed all statutory requirements of the Equal Employment Opportunity Commission ensuring a model EEO program
- To constantly strive to fulfill Executive Order requirements relating to Equal Employment Opportunity and Diversity
- To work proactively to prevent complaints and to preserve the integrity of the complaints process when complaints are filed
- To ensure DISA's workforce is a diverse workforce and reflective of the civilian labor force
- To ensure reasonable accommodations are provided increasing employment opportunities for persons with disabilities who otherwise would not be able to perform the essential functions of their job, and to allow employees with disabilities to perform or be more productive
- To foster a culture which encourages collaboration, flexibility, and fairness enabling individuals to contribute to their full potential and further retention
- To develop strategies to equip leaders with the ability to manage diversity, be accountable, measure results, refine approaches on the basis of such data, and institutionalize a culture of inclusion
- To collaboratively & aggressively work with our HR partners in ensuring recruiting efforts are appropriately targeted to recruit from a diverse, qualified group of applicants to secure a high-performing workforce drawn from all segments of society.

DISA Vision:

We are the provider of global net-centric solutions for the Nation's war fighters and all those who support them in the defense of the nation...leaders enabling information dominance in defense of our Nation. U.S. war fighters maintain a global presence and move quickly, often to locations without information technology infrastructure. We know these customers' requirements thoroughly and deliver service to them anywhere, anytime. No matter how complex the challenge or aggressive the goal, DISA remains dedicated to empowering our nation's war fighters with immediate information, tomorrow's technologies, and superior solutions. At the end of the day, we know the bottom line: Our success is measured by whether we enable war fighters to accomplish missions with greater efficiency and fewer casualties.

EEO Vision:

To be a recognized leader in DoD in providing expert EEO services to Agency leadership, managers, and employees in support of the DISA mission of supporting the war-fighter.

DISA Values:

Information is increasingly a critical military advantage, adding more efficiency and effectiveness to combat power. DISA is evolving and adapting to meet these rapidly changing needs. As the provider of global net-centric solutions for the Nation's war fighters and all those who support them in the defense of the nation, DISA's people are committed to guaranteeing our forces global information dominance; developing innovative solutions; active listening and partnering to consistently exceed our customers' expectations and working as a team towards a common purpose, in an environment of change, through bonds of integrity, trust and support.

The people of DISA are committed to:

- Guaranteeing our forces global information dominance by providing jointly interoperable systems, assured security; survivability; availability; superior quality.
- The best innovative ideas, excellence in design and engineering, speed and agility in execution, and the best value integrated information solutions for the DoD.
- Active listening, active partnering, operational and individual accountability - consistently exceeding our customers' expectations.
- Each other and a common purpose, in an environment of change, through bonds of integrity, trust, support, and teamwork.

DISCIPLINE

DISA has an extremely aggressive policy for the prevention of discrimination and sexual harassment throughout the Agency. There are several policy statements that address a zero tolerance for any discriminatory actions, e.g., General Policy Statement, Prevention of Sexual Harassment Statement, Anti-Harassment statement, etc. Additionally, the Agency has several options in place for employees to address any concerns, e.g., EEO Office, Office of the Inspector General, Office of General Counsel, etc. Also, in conjunction with the aforementioned offices, the Manpower, Personnel, and Security (MPS) division all work collaboratively to provide all new supervisors and employees detailed training regarding the Agency's anti-discrimination policies and their rights and responsibilities regarding such. When appropriate, discipline is administered by the appropriate management official utilizing the Agency's personnel directive, (DISA Instruction 220-15-55, Chapter 752) and 5 C.F.R. 752. DISA has agency policy statements for Sexual Harassment and Equal Employment Opportunity. The agency follows a "Table of Offenses and Penalties" (DISA CIVPERS 220-15-55, Chapter 752) if there is a violation. Employees are given an introduction to such policies and the elements for discipline at New Employee Orientation. New supervisors are provided with in-depth information at the Agency's Human Resources Management for New Supervisor Training, a 3-day long session which spotlights the Supervisor's responsibilities on a myriad of issues.

JUDGMENT FUND

The Department of the Treasury, Financial Management Service (FMS) manages the Judgment Fund, which is available for court judgments and Justice Department compromise settlements of actual or imminent lawsuits against the Government. The No FEAR Act requires federal agencies to reimburse the Judgment Fund for personnel discrimination payments made in accordance with 28 United States Code § 2414, 2517, 2672, or 2677. From FY07 through FY12, there have been no court judgments against DISA.

TRAINING

Training requirements were first proposed in an Office of Personnel Management (OPM) Proposed Rule in February 2005. At that time, DISA developed training material which was compliant with the Act's requirements. Specifically, the course addressed anti-discrimination and whistleblower protection laws and agency policies.

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The Agency has implemented an online "No FEAR" Course in its Defense Online Training System (DOTS) which is mandatory for all employees to complete within the first 90 days of reporting and bi-annually thereafter. Additionally, the course is listed in the table of mandatory training courses in each individual's DOTS training plan. DOTS provides the Agency with an efficient and easy way to provide the workforce with the required training for a multitude of programs to include No FEAR training and the ability to track what percentage of the workforce has completed mandatory training. The EEO office is charged with the monitoring of the No FEAR Act training by Agency employee's to ensure compliance. As of October 2012, out of DISA's civilian and military workforce of approximately 7,800, 75% of the employees had completed the course. The DISA EEO office will continue to coordinate with Agency training managers to ensure compliance levels are elevated over the course of this FY.

Part 1. The Number of Federal Court Cases Pending and Resolved

Section 5, Parts 724.302(a) (1) through (3) of the Code of Federal Regulations require agencies to report:

- (1) The number of cases in Federal court pending or resolved in each fiscal year and arising under each of the respective provisions of the Federal Antidiscrimination Laws and Whistleblower Protection Laws applicable to them as defined in Sec. 724.102 of subpart A of this part in which an employee, former Federal employee, or applicant alleged a violation(s) of these laws, separating data by the provision(s) of law involved;
- (2) In the aggregate, for the cases identified in paragraph (a) (1) of this section and separated by provision(s) of law involved:
 - (i) The status or disposition (including settlement);
 - (ii) The amount of money required to be reimbursed to the Judgment Fund by the agency for payments as defined in Sec. 724.102 of subpart A of this part;
 - (iii) The amount of reimbursement to the Fund for attorney's fees where such fees have been separately designated;
- (3) In connection with cases identified in paragraph (a)(1) of this section, the total number of employees in each fiscal year disciplined as defined in Sec. 724.102 of subpart A of this part and the specific nature, e.g., reprimand, etc., of the disciplinary actions taken, separated by the provision(s) of law involved.

Response: The statutes applicable to this report are:

Section 2302(b)(1) of the Civil Service Reform Act, which prohibits discrimination in personnel actions based on: race, color, religion, sex, or national origin (as prohibited by Title VII of the Civil Rights Act of 1964); age (as prohibited by sections 12 and 15 of the Age Discrimination in Employment Act of 1967); sex (as prohibited by section 6(d) of the Fair Labor Standards Act of 1938); handicapping condition (as prohibited by section 501 of the Rehabilitation Act of 1973); and marital status or political affiliation.

Section 2302(b) (9) of the Civil Service Reform Act, which prohibits taking a personnel action based on an employee(s): exercise of any appeal, complaint, or grievance right; testimony or other lawful assistance in the exercise of any appeal, complaint, or grievance right; cooperation

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with or disclosure to the agency's Inspector General or the Office of Special Counsel; or refusal to obey an illegal order.

Section 6(d) (1) of the Fair Labor Standards Act of 1938, also known as the Equal Pay Act, which prohibits discrimination "between employees on the basis of sex by paying wages to employees ... at a rate less than the rate [paid] to employees of the opposite sex ... for equal work on jobs the performance of which requires equal skill, effort and responsibility, and which are performed under similar working conditions...." 29 U.S.C. 206(d) (1)

The Age Discrimination in Employment Act (ADEA) of 1967, as amended, which states that, "All personnel actions affecting employees or applicants for employment who are at least 40 years of age ... in executive agencies ... shall be made free from any discrimination based on age." 29 U.S.C. ' 633a (a).

Section 501 of the Rehabilitation Act of 1973, 29 U.S.C. § 791 et seq., which prohibits discrimination on the basis of disability and requires agencies of the Federal government to make reasonable accommodation to the known physical or mental limitations of qualified employees with disabilities, unless the agency can demonstrate that accommodation would prove to be an "undue hardship."

Section 717 of the Civil Rights Act of 1964 (Title VII), which prohibits discrimination based on race, color, religion, sex, or national origin against federal employees in executive agencies (42 U.S.C. ' 2000e-16 (a).) Under Title VII, it is also unlawful "for an employer to discriminate against any of its employees because [the employee] has opposed any practice made an unlawful employment practice by Title VII, or because [the employee] has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under Title VII. Tables showing the number and disposition of civil actions filed in a United States District Court under any of these statutes appear below:

Table 1.A: Federal Court Litigation, FY 2012

Statute	Number of Cases		Final Judgments Against Agency	Settled	Employees Disciplined
Civil Service Reform Act 5 U.S.C. 2302(b)(1) Prohibited Personnel Practices	Pending	0	0	0	0
	Resolved	0			
Civil Service Reform Act 5 U.S.C. 2302(b)(9) Whistleblowing	Pending	0	0	0	0
	Resolved	0			
Fair Labor Standards Act 29 U.S.C. 206(d)	Pending	0	0	0	0
	Resolved	0			
Age Discrimination in Employment Act of 1967 29 U.S.C. 631 and 633a	Pending	0	0	0	0
	Resolved	0			
Rehabilitation Act of 1973 29 U.S.C. 791	Pending	0	0	0	0
	Resolved	0			
Civil Rights Act of 1964 (Title VII) 42 U.S.C. 2000e-16	Pending	1	0	0	0
	Resolved	1			

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Title VII and ADEA	Pending	0	0	0	0
	Resolved	0			
Title VII and ADEA and Rehabilitation Act	Pending	0	0	0	0
	Resolved	0			
Title VII and Rehabilitation Act	Pending	0	0	0	0
	Resolved	0			
ADEA and Rehabilitation Act	Pending	0	0	0	0
	Resolved	0			
Title VII and CSRA (Whistleblowing)	Pending	0	0	0	0
	Resolved	0			
Total	Pending	1	0	0	0
	Resolved	1			

Table 1.B: Judgment Fund Expenditures, 2012

Judgment Fund Expenditures, FY 2012				
Judgment Fund Total	Judgments	Settlements	Attorney's Fees	
\$0.00	\$0.00	\$0.00	\$0.00	

Part 2. Administrative Equal Employment Opportunity Complaint Data

Section 5, Part 724.302(a) (4) of the Code of Federal Regulations requires agencies to report:

The final year-end data about discrimination complaints for each fiscal year that was posted in accordance with Equal Employment Opportunity Regulations at subpart G Title 29 of the Code of Federal Regulations (implementing section 301(c) (1) (B) of the No FEAR Act).

Response: See the following tables:

Complaint Activity	Comparative Data					2012
	Previous Fiscal Year Data					
	2007	2008	2009	2010	2011	
Number of Complaints Filed	9	14	18	13	15	16
Number of Complainants	9	14	18	12	15	16
Repeat Filers	0	0	0	1	0	0

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2007	2008	2009	2010	2011	2012
Race	2	9	8	2	14	6

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Color	1	1	2	1	4	2
Religion	0	0	0	0	0	1
Reprisal	4	0	5	3	7	4
Sex	5	10	4	7	11	5
National Origin	1	0	2	2	7	1
Equal Pay Act	0	0	0	0	0	0
Age	4	1	7	5	5	4
Disability	7	0	4	5	12	4
Non-EEO	0	0	0	0	0	0
Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2012
<i>Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.</i>	2007	2008	2009	2010	2011	
Appointment/Hire	0	1	0	1	0	0
Assignment of Duties	2	0	0	0	4	7
Awards	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	0	0	1	0	0
Reprimand	1	1	0	0	1	1
Removal	1	0	0	0	3	0
Suspension	1	1	1	1	3	1
Other	0	0	0	0	0	1
Duty Hours	0	0	0	0	0	0
Evaluation Appraisal	3	1	0	0	2	5
Examination/Test	0	0	0	0	0	0
Harassment						
Non-Sexual	2	6	15	11	15	11
Sexual	0	1	0	1	0	2
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0
Promotion/Non-Selection	2	3	5	9	8	4
Reassignment						
Denied	0	1	0	0	0	0
Directed	1	0	0	0	0	1
Reasonable Accommodation	0	0	2	2	0	0
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Termination	1	0	0	0	0	3
Terms/Conditions of Employment	0	0	1	0	11	0
Time and Attendance	0	0	0	0	10	2
Training	0	0	0	0	2	1
Other	0	0	0	0	0	0

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Complaints Dismissed by Agency	Comparative Data					2012
	Previous Fiscal Year Data					
	2007	2008	2009	2010	2011	
Total Complaints Dismissed by Agency	3	0	2	0	0	0
Average days pending prior to dismissal	69	0	26	0	0	0

Total Final Actions Finding Discrimination	Comparative Data											
	Previous Fiscal Year Data											
	2007		2008		2009		2010		2011		2012	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0	0	0	0	0	0	0	0	0	0	0	0
Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	0	0	0	0	0	0

There were no final judgments of discrimination against the Agency between FY07 and FY12 and no employees were disciplined in connection with cases in Federal Court. DISA's disciplinary actions are determined on a case-by-case basis, depending upon the specific facts or circumstances when appropriate (See Part IV, Disciplinary Policies).

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data											
	<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>											
	2007		2008		2009		2010		2011		2012	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0

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Disability	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data											
	2007		2008		2009		2010		2011		2012	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0

**NOTIFICATION AND FEDERAL EMPLOYEE ANTI-DISCRIMINATION AND RETALIATION
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Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0

**NOTIFICATION AND FEDERAL EMPLOYEE ANTI-DISCRIMINATION AND RETALIATION
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Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					
	Previous Fiscal Year Data					
	2007	2008	2009	2010	2011	2012
Total complaints from previous Fiscal Years	10	9	11	23	36	28
Total Complainants	9	14	18	13	15	16
Number complaints pending						
Investigation	2	8	9	9	13	12

**NOTIFICATION AND FEDERAL EMPLOYEE ANTI-DISCRIMINATION AND RETALIATION
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Hearing	6	2	13	14	16	15
Final Action	1	0	0	19	11	5
Appeal with EEOC Office of Federal Operations	0	1	1	1	0	1

Part 3. Disciplinary Actions

Section 5, Part 724.302(a) (5) of the Code of Federal Regulations requires agencies to report:

Whether or not in connection with cases in Federal court, the number of employees in each fiscal year disciplined as defined in Sec. 724.102 of subpart A of this part in accordance with any agency policy described in paragraph (a)(6) of this section. The specific nature, e.g., reprimand, etc., of the disciplinary actions taken must be identified.

Response: Consistent with the fact that there were no final judgments of discrimination against the Agency in FY12, no employees were disciplined in connection with cases in Federal court.

Part 4. Disciplinary Policies

Section 5, Part 724.302(a) (6) of the Code of Federal Regulations requires agencies to report:

A detailed description of the Agency's policy for taking disciplinary action against Federal employees for conduct that is inconsistent with Federal Antidiscrimination Laws and Whistleblower Protection Laws or for conduct that constitutes another prohibited personnel practice revealed in connection with agency investigations of alleged violations of these laws.

Response: The Agency's policy for taking disciplinary action against Federal Employees for conduct that is inconsistent with Federal Antidiscrimination Laws and Whistleblower Protection Laws or for conduct that constitutes another prohibited personnel practice revealed in connection with Agency investigations of alleged violations of these laws is set forth in accordance with applicable agency regulations and standards.

The relevant offenses appear at Numbers 36, 42, 45, and 46 on the Table of Offenses and Penalties:

- Harassing, threatening or taking reprisal action against an employee as a result of or in anticipation of a grievance, appeal, complaint, or other exercise of rights (5 days suspension to removal);
- Misrepresentation, falsification, or omission of material fact in connection with application, employment or any record, report, investigation or other proceeding (written reprimand to removal);
- Discrimination. As used in the Table of Offenses and Penalties, discrimination refers to specific acts taken by an employee in the performance of his/her official duties which discriminate against one or more individuals on the basis of race, sex, religion, color, age, national origin, disability, marital status, or political affiliation. (5 day suspension to removal); and

NOTIFICATION AND FEDERAL EMPLOYEE ANTI-DISCRIMINATION AND RETALIATION
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- Refusal to answer appropriate interrogation in a properly authorized inquiry (written reprimand to removal).

DISA Instructions and policy statements also provides an expedited process for reviewing allegations of harassment, terminating actual incidents of harassment, and taking disciplinary actions as appropriate, which includes stopping any ongoing harassment and initiating disciplinary or adverse action when an inquiry results in a finding that misconduct has occurred.

Part 5a. Trend Analysis

Section 5, Part 724.302(a) (7) of the Code of Federal Regulations requires agencies to report:

An analysis of the information provided in paragraphs (a)(1) through (6) of this section in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with 29 CFR part 1614 subpart F of the Code of Federal Regulations. Such analysis must include:

- (i) An examination of trends;
- (ii) Causal analysis;
- (iii) Practical knowledge gained through experience; and
- (iv) Any actions planned or taken to improve complaint or civil rights programs of the agency with the goal of eliminating discrimination and retaliation in the workplace;

Response: The following is an analysis of Initiatives and Knowledge Gained:

DISA Headquarters' EEO&D Office has implemented a reporting requirement for all DISA field sites that either have their own complaint processing services or purchase complaint processing services through an Intra-Service Support Agreement (ISSA) or Memorandum of Understanding (MOU) from another agency to submit quarterly reports on their complaint activity. The Complaints Manager has also been tasked with ensuring the ISSAs or MOUs are current and to coordinate with the applicable sources to ensure compliance and accurate requirements.

Additionally, the Agency has established:

- **EEO Program Reviews** – When conducting an EEO program review at any DISA field site, the following program areas are analyzed for regulatory compliance: (program administration function; MD-715 compliance structure; recruitment strategies for under-represented groups; plan of action for the employment/advancement of Disabled Veterans; employment initiatives for the six special emphasis programs; quality of EEO counseling services, including meeting all recommended timeframes; quality of processing formal complaints, including ensuring all complaint compliance measures are observed/followed as described in 29 C.F.R. 1614 and Management Directive 110; Prevention of Sexual Harassment Program implementation/maintenance initiatives; and the utilization/effectiveness of Alternative Dispute Resolution. As mentioned earlier in this report, DISA is a worldwide agency consisting of approximately 40 separate activities (for EEO purposes). It is also worth mentioning that while DISA employs approximately 7,800 civilian & military personnel (combined), it also has approximately

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10,000 contractors providing services to support its mission. Given the overwhelming majority of these contractors occupying space in DISA facilities (integrated into DISA's civilian workforce); they are included in all facets of EEO planning (for the purposes of eradicating discrimination). The DISA EEO staff conducts a series of Program Reviews at a different DISA site each year (normally 5-7). Several factors are considered to determine what sites are reviewed and when; included in this determination is the size of the activity. As previously mentioned, while DISA has approximately 40 field sites, not all sites have what could be considered a substantial civilian personnel representation. A number of DISA Field Activities are much more heavily allocated with contractor personnel than General Schedule (GS) employees. Several sites currently have less than 50 civilian employees; therefore, the major factor considered in determining the candidates (field sites) for program reviews are activities with 100 or more civilian employees. Moreover, the aforementioned program reviews are not " cursory " reviews rather they are very detailed in nature, complete with a statistical sampling (through one-on-one interviews/surveys) encompassing at least 35% of each field site's civilian population. These surveys are conducted to provide an EEO climate assessment at each activity being reviewed. It is also worth mentioning that each review takes approximately one week to complete and the inspected activity is then placed on a very specific Plan of Action and Milestones (POA&M) to correct any identified deficiencies and/or areas needing improvement.

- **Activity Employee Climate Employee Survey Assessments** – DISA has incorporated a very aggressive site-employee assessment survey program. This program is designed to conduct in-depth field activity employee climate survey assessments on a regular scheduled rotation. These assessments are designed to provide DISA with a thorough view and understanding of how our employees view their employment within their respective DISA organization. The importance of these assessments cannot be overstated. They are used not only as a gauge to measure the morale of our workforce (at each activity) but also these assessments are invaluable tools to solicit input from our workforce regarding how management officials can avoid disputes. In other words, these assessments assist the agency tremendously (in a proactive manner) to prevent perceived problems areas of possibly a few from becoming widespread among the entire workforce and, just as importantly, enables the agency to develop initiatives to eliminate even the perception of problems. These assessments have greatly improved the morale of our employees and have resulted in improvement initiatives over the past five years at most of our field sites. This program is believed to be such a positive proactive initiative that DISA authorized the recruitment of one full-time specialist whose primary responsibility is to oversee the assessments program. Additionally, because of the popularity of this program, other staff members, to include the Director of EEO programs, often augment the team in order to provide more opportunities for additional assessments.

DISA will continue to explore every option and initiative to alleviate reasons our employees may have for filing complaints. It is our goal to, not only create, but also maintain a discrimination-free workplace for all of our employees and applicants for employment.

Part 5b. Civil Actions Filed in Federal Court

Analysis of Totals:

For Fiscal Year 2012, there was one complainant who filed their case in Federal District Court. The Defense Information Systems Agency is currently litigating this one case in Federal District Court. Accordingly, no cases have been resolved, leaving one case pending at the time of this report. Consequently, there was no case requiring the discipline of any DISA employee. The Defense Information Systems Agency has not paid any dollars toward the settlement of any cases in Federal District Court nor has paid any monies for attorney's fees.

Analysis of Trends:

During the reporting period, there were no lawsuits brought against DISA based on a violation of 5 U.S.C. 2302(b) (1) (Civil Service Reform Act) or 29 U.S.C. 206(d) (pay discrimination). The majority of lawsuits against the Agency are based on an alleged violation of Title VII of the Civil Rights Act of 1964. The trends for all pending complaints as well as any complaints filed within the past five years are all depicted in various charts throughout this report and therefore will not be reiterated here.

Part 6. Budgetary Adjustments

Section 5, Part 724.302(a) (8) requires agencies to report:

For each fiscal year, any adjustment needed or made to the budget of the agency to comply with its Judgment Fund reimbursement obligation(s) incurred under 5 C.F.R. § 724.103.

Response: The Defense Information Systems Agency has not made or needed to make adjustments to its budget to comply with its Judgment Fund reimbursement obligation(s) incurred under 5 C.F.R. § 724.103.

Part 7. Training Plan

Section 5, Part 724.302(a) (9) requires agencies to report:

The agency's written plan developed under 5 C.F.R. § 724.203(a) to train its employees.

Response:

DISA's training plan encompasses a variety of training delivery platforms as follows:

- a. We offer on-line training through the DISA e-Learning "Education on Demand" portal which is assessable through the Agency's intranet site. SkillSoft developed the No FEAR Act training, while the DISA on-line tracking system provides the e-learning delivery platform. The training staff from the Manpower, Personnel, and Security reviewed and edited the No FEAR Act training prior to its release by SkillSoft.

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- b. We offer a myriad of training programs to the agency including EEO Collateral Duty Training to further assist EEO Collateral Duty Counselors when acting in that capacity. Additionally, we provide awareness training to Supervisors and EEO training to employees throughout DISA at our field sites around the world. Diversity training is also provided as well as training "as requested" by any component of DISA.
- c. We developed an in-house version of the No FEAR Act training to train new employees during new employee orientation sessions. These documents are also housed permanently on the DISA training website. This training is available to all employees at any time as initial training or as a refresher or reference.
- d. We provide classroom training to new Supervisors on the provisions of the No FEAR Act. Additionally, EEO Program Administration Training is provided as requested and needed at DISA sites worldwide on an annual basis. Remedial training is also provided to employees and/or supervisors if determined by the applicable sources.

Part 8. Additional Information

Additional Information

For further information regarding the No FEAR Act regulations, refer to 5 CFR part 724, as well as the appropriate offices within DISA (e.g., EEO, MPS office, or Office of General Counsel). Additional information regarding Federal antidiscrimination, whistleblower protection and retaliation laws can be found at the EEOC Web site--<http://www.eeoc.gov> and the OSC Web site--<http://www.osc.gov>.

DISA Office	Phone Number (DSN 327)	Website	Email Address
Office of Equal Employment Opportunity & Diversity (EEO&D)	(301) 225-6458	http://www.disa.mil/main/eeo.html	
Office of General Counsel (GC)	(301) 225-6111	http://www.disa.mil/main/gc.html	Generalcounsel@disa.mil
Office of Inspector General (IG)	24 Hr Hotline: (301) 225-6236 Main: (301) 225-6219/6220	http://www.disa.mil/mail/ig.html	IG-Hotline@ncr.disa.mil
Manpower, Personnel and Security (MPS)	(301) 225-1330	http://www.disa.mil/main/mps.html	

Appendix A

[DISA Director](#)
[Vice Director](#)
[Chief of Staff](#)
[Senior Enlisted Advisor \(SEA\)](#)

[Component Acquisition Executive](#)
[Chief Financial Executive](#)
[Chief Information Assurance Executive](#)
[Chief Information Officer](#)
[Chief Technology Officer](#)

[Component Acquisition Executive](#) <http://www.disa.mil/about/offices/cae.html>
[Chief Technology Office](#)
[Command and Control Capabilities PEO](#)
[GIG Enterprise Services PEO](#)
[Mission Assurance and Network Operations PEO MA](#)
[SATCOM, Teleport and Services PEO](#)

Strategic Business Units

- [GIG Enterprise Services Engineering Directorate](#)
- [GIG Operations Directorate](#)
- [Enterprise Services Directorate](#)
- [Network Services Directorate](#)

Shared Service Units

- [Chief Financial Executive](#)
- [Manpower, Personnel, and Security Directorate](#)
- [Procurement Directorate/Defense Information Technology Contracting Organization](#)
- [Chief Information Officer](#)
- [Strategic Planning and Information Directorate](#)

Special Mission

- [White House Communications Agency](#)
- White House Situation Support Staff
- [Defense Spectrum Organization](#)
 - [Global Electromagnetic Spectrum Information System Program Management Office](#)
 - [Joint Spectrum Center](#)
 - [Strategic Planning Office](#)

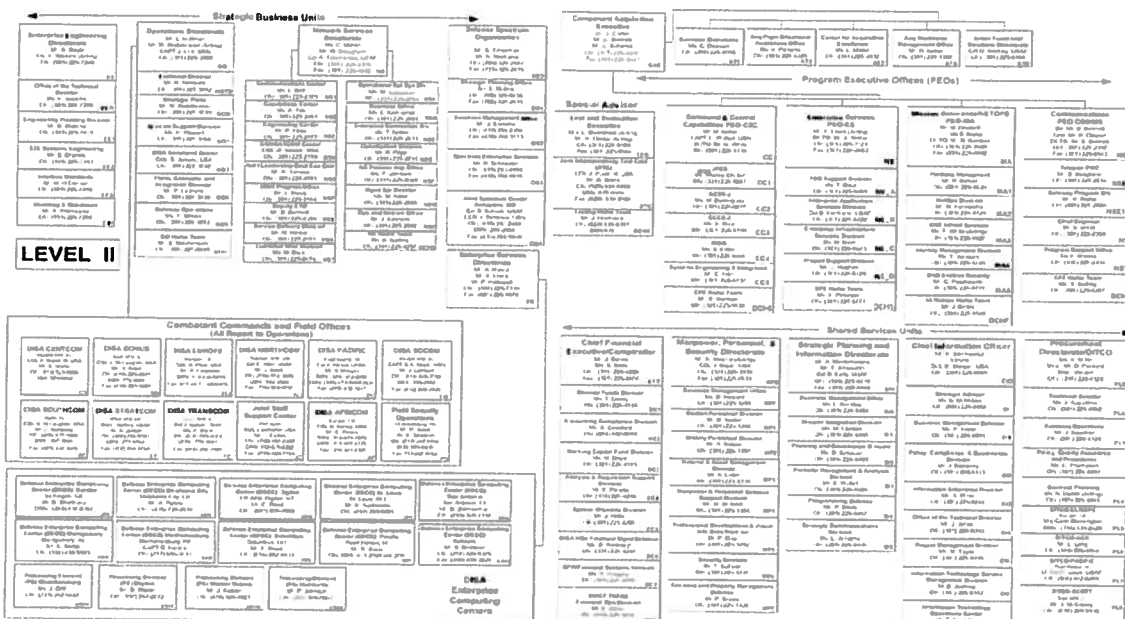
Special Advisors

- Congressional Affairs
- Foreign Affairs
- [Inspector General](#)
- [EEO & Diversity \(EEO&D\)](#)
- [General Counsel](#)
- NSA/CSS Representative to DISA
- [Office of Small Business Programs \(OSBP\)](#)
- [Test & Evaluation Management Center \(TEMC\)](#)
- Reserve Forces
- [Joint Interoperability and Test Command \(JITC\)](#)

Combatant Command Field Offices

- [DISA AFRICOM](#)
- [DISA CENT](#)
- [DISA CONUS](#)
- [DISA EUROPE](#)
- [DISA JFCOM](#)
- [DISA NORTHCOM](#)
- [DISA PACIFIC](#)
- [DISA SOCOM](#)
- [DISA USARE](#)
- [DISA SOUTHCOM](#)
- [DISA STRATCOM](#)
- [DISA TRANSCOM](#)

Defense Information Systems Agency (DISA)

[illegible]



Lt Gen Ronnie D. Hawkins Jr.
DISA Director



RADM David G. Simpson
DISA Vice Director



BG Frederick Henry
Chief of Staff



SgtMaj Antonio N. Vizcarrondo Jr.
Senior Enlisted Advisor



Tony Montemarano
Director, Strategic Planning and Information



Dave Mihelcic
Chief Technology Officer



Jennifer Carter
Component Acquisition Executive



Larry Huffman
Principal Director, Operations



Jimaye Sones
Chief Financial Executive/Comptroller



Russell Miller
Congressional Affairs



Alfred Rivera
Director, Enterprise Services



Cindy Moran
Director, Network Services



Sannadean Sims
Deputy Chief Financial Executive/Comptroller



Alan D. Lewis
Program Executive Officer, Enterprise Services; Vice Director, Enterprise Services



David Bennett
Chief Information Officer



Robert Gorman
General Counsel



Henry J. Sienkiewicz
Vice Chief, Information Assurance Executive



Mark Orndorff
Program Executive Officer, Mission Assurance and NetOps PEO; Chief Information Assurance Executive



Martin Gross
Program Executive Officer, Command & Control Capabilities PEO



Kathleen Miller
Director, Procurement, and Chief, DITCO

DISA'S LEADERSHIP

Current as of February 2013
For Official Use Only



Bruce T. Bennett
Program
Executive Officer,
Communications
PEO



Nathan Maenle
Director, Manpower,
Personnel and
Security



Stuart F. Timmerman
Director, Defense
Spectrum
Organization



**Thomas
Ainsworth**
Vice Director,
Strategic Planning
and Information



Gerald Doyle
Director, Enterprise
Engineering



William Brougham
Vice Director,
Network Services



Douglas Packard
Vice Director,
Procurement, and
Vice Chief, DITCO



Luanne Overstreet
Test and Evaluation
Executive



William A. Keely
Deputy Chief
Technology Officer,
Mission Assurance

Director (301)225-6001

Vice Director (301)225-6011

Senior Enlistee Advisor
(301)225-6008

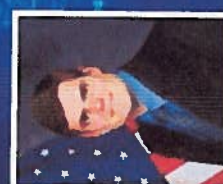
Component Acquisition Executive
(301)225-4000

Program Executive Office,
Command & Control Capabilities
(301)225-5136

Program Executive Office,
SATCOM, Teleport, and Services
(301)225-2300

Program Executive Office,
Mission Assurance and Network
Operations
(301)225-8632

Program Executive Office,
GIG Enterprise Services
(301)225-5670



John Wilmer
Deputy Chief
Technology Officer
for Enterprise
Services



Larry Klooster
Vice Principal
Director for GIG
Operations



Charles Riggs
Special Advisor for
Network Operations



John D. Howard
Deputy Chief,
Technology Officer,
Computing Services



Scott Rodakowski
Special Assistant
for JF ICT Security
Stabilization



Nicholas Basciano
Special Advisor,
Spectrum Programs
and Plans



Glen White
Technical Director,
Command &
Control Capabilities
PEO



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Testing and Evaluation Executive
(301)225-9100

Enterprise Engineering Directorate
(301)225-7200

Chief Information Assurance
Executive
(301)225-7900

Operations Directorate
(301)225-3000

Chief Information Officer
(301)225-8000

Chief Technology Officer
(301)225-9500

Manpower, Personnel, and Security
Directorate
(301)225-1330

Procurement Directorate/DITCO
(301)225-4120

Strategic Planning Directorate
(301)225-8410

Chief Financial Executive/Comptroller
(301)225-4200

General Council
(301)225-6111

Inspector General
(301)225-5236

Defense Spectrum Organization
(301)225-3796

Enterprise Services Directorate
(301)225-7100

Network Services Directorate
(301)225-2000

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Appendix C (Agency Policy Letters)



DEFENSE INFORMATION SYSTEMS AGENCY

P. O. BOX 549
FORT MEADE, MARYLAND 20755-0549


IN REPLY
REFER TO Director (D)

FEB 17 2012

MEMORANDUM FOR ALL PERSONNEL

SUBJECT: Equal Employment Opportunity (EEO)

1. DISA is committed to ensuring equal employment opportunity (EEO), promoting diversity and inclusion, and resolving workplace conflict constructively to maintain a high performing workforce. To that end, DISA will resolutely enforce all applicable Federal EEO laws, regulations, Executive orders, and management directives to ensure equal employment opportunity in the workplace for all DISA employees and applicants for employment. The term employment applies to all terms and conditions of employment, including but not limited to recruitment, hiring, promotions, transfers, reassignments, training, career development, benefits, and separation. Additionally, DISA will provide reasonable accommodation to qualified individuals with disabilities and accommodations for religious practices in accordance with applicable laws.
2. DISA will not tolerate discrimination in employment decisions on the basis of race, sex, religion, national origin, age, color, disability, genetic information, or reprisal for opposing discriminatory practices or participating in the discrimination complaint process.
3. For more information, contact the DISA Equal Employment Opportunity and Cultural Diversity Office at (301) 225-6458.


RONNIE D. HAWKINS, JR.
Lieutenant General, USAF
Director

NOTIFICATION AND FEDERAL EMPLOYEE ANTI-DISCRIMINATION AND RETALIATION
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DEFENSE INFORMATION SYSTEMS AGENCY

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IN REPLY
REFER TO: Director (D)

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MEMORANDUM FOR ALL PERSONNEL

SUBJECT: Prevention of Sexual Harassment

1. DISA is committed to maintaining a workforce free from harassment and retaliation and to ensuring all employees are aware this type of behavior will not be tolerated.
2. Sexual harassment is any unwelcome behavior of a sexual nature including but not limited to unwelcomed sexual advances, requests for sexual favors, physical conduct of a sexual nature, or other similar behavior. Sexual harassment is not limited to prohibited conduct by a male employee toward a female employee. A male, as well as a female, may be a victim of sexual harassment. Similarly, sexual harassment is not limited to the actions of a supervisory employee toward a non-supervisory employee; the harasser may be an agent of the employer, a supervisory employee who does not supervise the victim, a co-worker, or a nonemployee.
3. Employees who are uncertain about whether particular conduct constitutes sexual harassment, or otherwise violates applicable Equal Employment Opportunity (EEO) policy, should consult their Director, Commander, or Equal Employment Opportunity and Cultural Diversity Office for clarification.
4. All supervisors and employees of DISA are accountable for taking the necessary steps to prevent and eliminate sexual harassment in the workplace. Allegations of sexual harassment will be dealt with swiftly and fairly. Substantiated complaints of sexual harassment will result in appropriate disciplinary and/or adverse action, up to and including removal. Additionally, appropriate disciplinary and/or adverse action will be taken against anyone who retaliates against an employee for reporting harassment or cooperating with the investigation into allegations of sexual harassment.


RONNIE D. HAWKINS, JR.
Lieutenant General, USAF
Director

CHAPTER 752

TABLE 752-1. TABLE OF OFFENSES AND PENALTIES

NATURE OF OFFENSE	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
<u>ATTENDANCE</u>			
Absence without approved leave (AWOL)-8 hours or less	Admonishment	Reprimand to 14-day suspension	7-day suspension to removal
Absence without approved leave (AWOL)-more than 8 hours	Reprimand to 14-day suspension	7-day suspension to removal	14-day suspension to removal
Failure to adhere to rules and regulations for requesting and obtaining leave approval	Admonishment to 14-day suspension	Reprimand to removal	7-day suspension to removal
Falsifying or causing to be falsified an attendance record for oneself or another employee	Reprimand to 14-day suspension	14-day suspension to removal	Removal
Leaving job to which assigned during working hours without permission	Admonishment to 3-day suspension	Reprimand to 14-day suspension	7-day suspension to removal
Unexcused tardiness of less than 1 hour	Admonishment to reprimand	Reprimand to 3-day suspension	3-day to 14-day suspension
Unexcused tardiness of more than 1 hour	Admonishment to reprimand	Reprimand to 7-day suspension	7-day to 14 day suspension
Failure to report to or perform assigned overtime	Reprimand to 3-day suspension	3-day to 14-day suspension	7-day suspension to removal

CONDUCT

Actual or attempted unauthorized removal of government property (See [Note 1](#))

Reprimand to removal

7-day suspension to removal

14-day suspension to removal

Criminal, dishonest, infamous, or notoriously disgraceful conduct adversely affecting the employee/employer relationship (on duty or off duty)

Reprimand to removal

7-day suspension to removal

14-day suspension to removal

Failure to follow instructions

Admonishment to 3-day suspension

3-day to 14-day suspension

14-day suspension to removal

Insubordination

Reprimand to 3-day suspension

3-day to 14-day suspension

14-day suspension to removal

Resisting competent authority

Reprimand to removal

7-day suspension to removal

14-day suspension to removal

Disruptive conduct, disorderly conduct, fighting, threatening to inflict bodily injury to another, engaging in dangerous horseplay

Reprimand to removal

7-day suspension to removal

14-day suspension to removal

Disrespectful conduct; use of insulting, abusive, or obscene language to or about other personnel

Reprimand to 7-day suspension

7-day suspension

14-day suspension to removal

Failure to honor just debts or legal obligations without good cause

Reprimand

Reprimand

Reprimand to removal

(See [Note 2](#))

Misuse of government travel charge card	Letter of Admonishment to 14-day suspension	14-day suspension and suspension of all card privileges to removal	Removal
Falsification, misstatement, or concealment of information in connection with any official record	Reprimand to removal	7-day suspension to removal	14-day suspension to removal
Misrepresentation of fact; false testimony; refusal to testify in an inquiry, investigation, or other official proceeding	Reprimand to removal	7-day suspension to removal	14-day suspension to removal
Filing false claims against the government or knowingly aiding and assisting in the prosecution of such claims (See 18 U.S.C. 287, 1001)	Reprimand to removal	7-day suspension	14-day suspension to removal
Making false or malicious statements to harm or destroy the reputation, authority, or official standing of individuals or organizations	Reprimand to removal	7-day suspension to removal	14-day suspension to removal
Failure to act in a courteous manner to coworkers, other employees, or the public	Reprimand to 3-day suspension	3-day to 7-day suspension	7-day suspension to removal
Using or allowing the	Reprimand to 14-day	7-day suspension to	Removal

use of government property or government leased property of any kind (including equipment, supplies, services, ETC.) For other than official or officially approved activities	suspension	removal	
Misuse of a government vehicle (See Note 3)	30-day suspension	30-day suspension to removal	Removal
Gambling or betting during working hours	Reprimand to 3-day suspension	1-day to 14-day suspension	7-day suspension to removal
Gambling on DISA premises, betting, or promotion thereof	Reprimand to 7-day suspension	7-day suspension to removal	14-day suspension to removal
Damage to government property or the property of other employees	Reprimand to 7-day suspension	7-day suspension to removal	14-day suspension to removal
Unauthorized presence on DISA premises and work areas	Admonishment to 3-day suspension	Reprimand to 14-day suspension	14-day suspension to removal
<u>CONFLICT OF INTEREST</u>			
Creating a conflict of interest or the appearance of it by solicitation or acceptance of gifts, favors, gratuities, entertainment, or any other thing of monetary value	3-day suspension to removal	14-day suspension to removal	Removal
Outside employment or other activity not	Reprimand to removal	14-day suspension to removal	Removal

compatible with full
and proper discharge
of DISA duties

DISCRIMINATION

Discrimination
against an employee
or applicant because
of race, color,
religion, sex, national
origin, age, marital
status, lawful political
affiliation, labor
organization
membership, or
physical handicap; or
any reprisal action
against employee for
properly engaging in
protected conduct

Reprimand to
removal

7-day suspension to
removal

14-day suspension to
removal

Sexual Harassment

Reprimand to
removal

7-day suspension to
removal

14-day suspension to
removal

INTOXICANTS

Reporting for duty or
being on duty under
the influence of
intoxicants;
unauthorized
possession of or
bringing intoxicants
on DISA premises

Reprimand to
removal

7-day suspension to
removal

14-day suspension to
removal

Reporting for duty or
being on duty under
the influence of
unprescribed or
illegal narcotics or
drugs; use of same on
government property
or while on duty

Reprimand to
removal

7-day suspension to
removal

14-day suspension to
removal

Possession,
unauthorized sale or
transfer of narcotics
or drugs on
government property
or during duty hours

7-day suspension to
removal

14-day suspension to
removal

Suspension to
removal

**WORK
PERFORMANCE**

Negligence; careless
workmanship
resulting in spoilage,
damage to, or waste
of materials, or delay
in production

Reprimand to 7-day
suspension

7-day to 14-day
suspension

14-day suspension to
removal

Concealing or
attempting to conceal
defective work;
removing or
destroying defective
work without
permission

Reprimand to 7-day
suspension

7-day to 14-day
suspension

14-day suspension to
removal

Failure or delay in
carrying out orders,
work assignments, or
instructions of
superiors

Admonishment to 3-
day suspension

3-day to 14-day
suspension

14-day suspension to
removal

Malingering, wasting
duty time, or
inattention to duty

Admonishment to
reprimand

Reprimand to 7-day
suspension

7-day suspension to
removal

**SLEEPING ON
DUTY**

When life, property,
or security is not
endangered

Admonishment to 3-
day suspension

3-day to 14-day
suspension

14-day suspension to
removal

When life, property,
or security is
endangered

7-day suspension to
removal

14-day suspension to
removal

Removal

Misuse of,
unauthorized use or
possession of, loss of,
or damage to
government property

Reprimand to 3-day
suspension

3-day suspension to
removal

14-day suspension to
removal

SAFETY

Failure to observe
reasonable
precautions for
personal safety, safety
rules, regulations,
instructions, or to use
required protective
clothing or equipment

Admonishment to 3-
day suspension

3-day to 14-day
suspension

14-day suspension to
removal

Violation of safety
regulation which
endangers life or
property

7-day suspension to
removal

14-day suspension to
removal

Removal

Endangering the
safety of or causing
injury to personnel
through carelessness
or negligence

7-day suspension to
removal

14-day suspension to
removal

Removal

Failure to observe
"No Smoking"
regulations

Admonishment to 3-
day suspension

Reprimand to 14-day
suspension

14-day suspension to
removal

Violating DISA
traffic or parking
regulations, reckless
driving on DISA
premises, or improper
operation of motor
vehicle

Admonishment to 3-
day suspension

Reprimand to 7-day
suspension

7-day to 14-day
suspension

SECURITY

Procedural or
administrative
deviation from
security procedures

Admonishment to 3-
day suspension

Reprimand to 14-day
suspension

7-day suspension to
removal

(classified material has not been compromised)			
Failure to carry, display, or show proper identification on premises as required	Reprimand to 3-day suspension	3-day to 14-day suspension	14-day suspension to removal
Failure to safeguard classified material	Admonishment to removal	3-day suspension to removal	Removal

Note 1: This offense is of such a serious nature that removal, under certain circumstances, may be justified on the first infraction; for instance, when there is evidence that there has been collusion, the theft is premeditated, or it is not an isolated instance of poor judgment on the part of an employee who has an otherwise unblemished record.

Note 2: DISA expects its employees to pay their just financial obligations and to maintain a reputation in the community for honoring their just debts. Indebtedness per se is not a conduct offense; however, whether an employee acts responsibly to meet his or her just financial obligations must be evaluated and may be the basis for disciplinary action. Suspension is not normally an appropriate penalty in those indebtedness cases when it would be likely to aggravate the employee's financial problem. However, instances of deliberate refusal or flagrant, irresponsible conduct may justify such penalties. Letters of reprimand of increasingly severe nature will carry the same weight as suspensions when used as a basis for removal action.

Note 3: 31 U.S.C. 638a(c)(2) provides that any officer or employee who willfully misuses or authorizes misuse of a Government-owned or leased motor vehicle or aircraft for other than official purposes will be suspended for not less than 1 month and will be suspended for a longer period or removed, if circumstances warrant.

Links to Other Sections of Chapter 752:

General Provisions

Preventive Disciplinary Actions and Procedures

Indebtedness and Misuse of Government Travel Charge Card

Disciplinary Actions and Procedures

[Adverse Actions and Procedures](#)
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